

REMARKS

Claims 19-41 are pending in the present application. Claims 20 and 31 have been amended.

Priority Under 35 U.S.C. 119(e)

The Examiner is respectfully requested to acknowledge the Claim for Priority under 35 U.S.C. 119(e) to U.S. Provisional Application Serial No. 60/421,779.

Specification

The specification has been objected to under 35 U.S.C. 112, first paragraph and 37 C.F.R. 1.171, for the reasons stated on page 2 of the current Office Action dated January 19, 2005. This objection is respectfully traversed for the following reasons.

Enclosed are nine (9) Annotated Drawing Sheets, wherein various corrections have been denoted in red ink or red highlighting. Also enclosed are thirteen (13) drawing Replacement Sheets.

The drawings and specification have been variously corrected in view of the issues raised by the Examiner. For example, page 7 of the specification has been corrected to describe Metal2 plate 511 as illustrated in Fig. 5. Also, via 561 has been denoted in Fig. 5. In Fig. 8, "T1" and "T4" have been clearly denoted. In Fig. 10, "F" has been clearly denoted. Moreover, the various interconnections, lead lines and connections have been made more clear in the figures.

The Examiner is respectfully requested to acknowledge receipt and approval of the drawing Replacement Sheets, and to withdraw the objection to the specification in view of the above noted corrections.

Claim Rejections-35 U.S.C. 112

Claims 20-23, 31-34 and 40 have been rejected under 35 U.S.C. 112, first paragraph. This rejection is respectfully traversed for the following reasons.

The Examiner has asserted that the bottom conductive pattern of claims 20, 23, 31 and 34 is not clearly described in the specification with respect to the figures. However, Applicants respectfully submit that the bottom conductive pattern 530 as shown in Fig. 5 for example, is described on page 7, lines 4-6 and page 8, lines 3-6. Also, the bottom conductive patterns as illustrated in Figs. 6a – 6d are described on page 8. Applicants therefore respectfully submit that the bottom conductive patterns are clearly described in the specification with respect to the figures, and that claims 20, 23, 31 and 34 are in compliance with 35 U.S.C. 112, first paragraph.

Applicants also respectfully note that page 6 of the specification and the drawings have been corrected to more clearly describe and denote oxide layer 520. Also, Fig. 12 illustrates split electrodes along the top thereof, wherein the uppermost split sections which are isolated or floating serve as dummy plate sections. Applicants respectfully submit that claims 20-23, 31-34 and 40 are in compliance with 35 U.S.C. 112, first paragraph, and thus respectfully urge the Examiner to withdraw this rejection.

Claims 21, 22, 32 and 33 have been rejected under 35 U.S.C. 112, second paragraph. Claim 20 has been amended to feature that the bottom conductive pattern is formed "over" the semiconductor substrate, to improve consistency. Claim 31 has been similarly amended to feature that the plurality of bottom conductive patterns are formed "over" the semiconductor substrate, to improve consistency. Applicants respectfully submit that claims 21, 22, 32 and 33 are in compliance with 35 U.S.C. 112, second paragraph, and thus respectfully urge the Examiner to withdraw this rejection.

Allowable Subject Matter

Applicants respectfully note the Examiner's acknowledgment that claims 19, 24-30, 35-39 and 41 are allowed.

Applicants also respectfully request the Examiner to acknowledge that claims 20-23, 31-34 and 40 are allowed at least for the above noted reasons.

Conclusion

Claims 20 and 31 have been amended merely to improve form, rather than to further distinguish over the relied upon prior art. This should be especially clear since the claims have not been rejected based upon prior art. Accordingly, the above noted amendments should not be construed as narrowing scope within the meaning of *Festo*.

The Examiner is respectfully requested to reconsider and withdraw the corresponding objection and rejections, and to pass the claims of the present

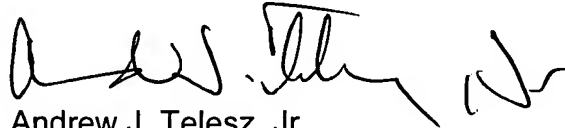
application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.



Andrew J. Telesz, Jr.
Registration No. 33,581

One Freedom Square
11951 Freedom Drive, Suite 1260
Reston, Virginia 20190
Telephone No.: (571) 283-0270
Facsimile No.: (571) 283-0740

Enclosures: Nine (9) drawing Annotated Sheets
Thirteen (13) drawing Replacement Sheets

ANNOTATED SHEET

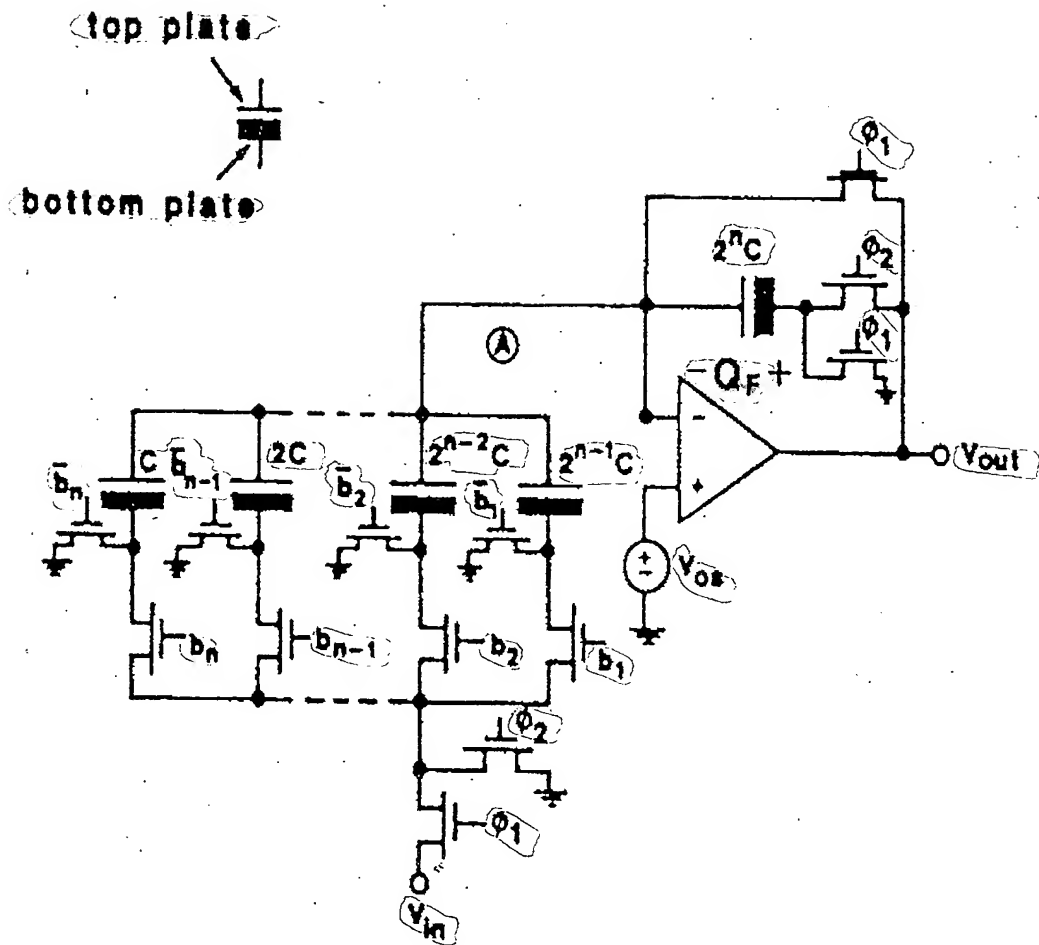


Figure 1

ANNOTATED SHEET

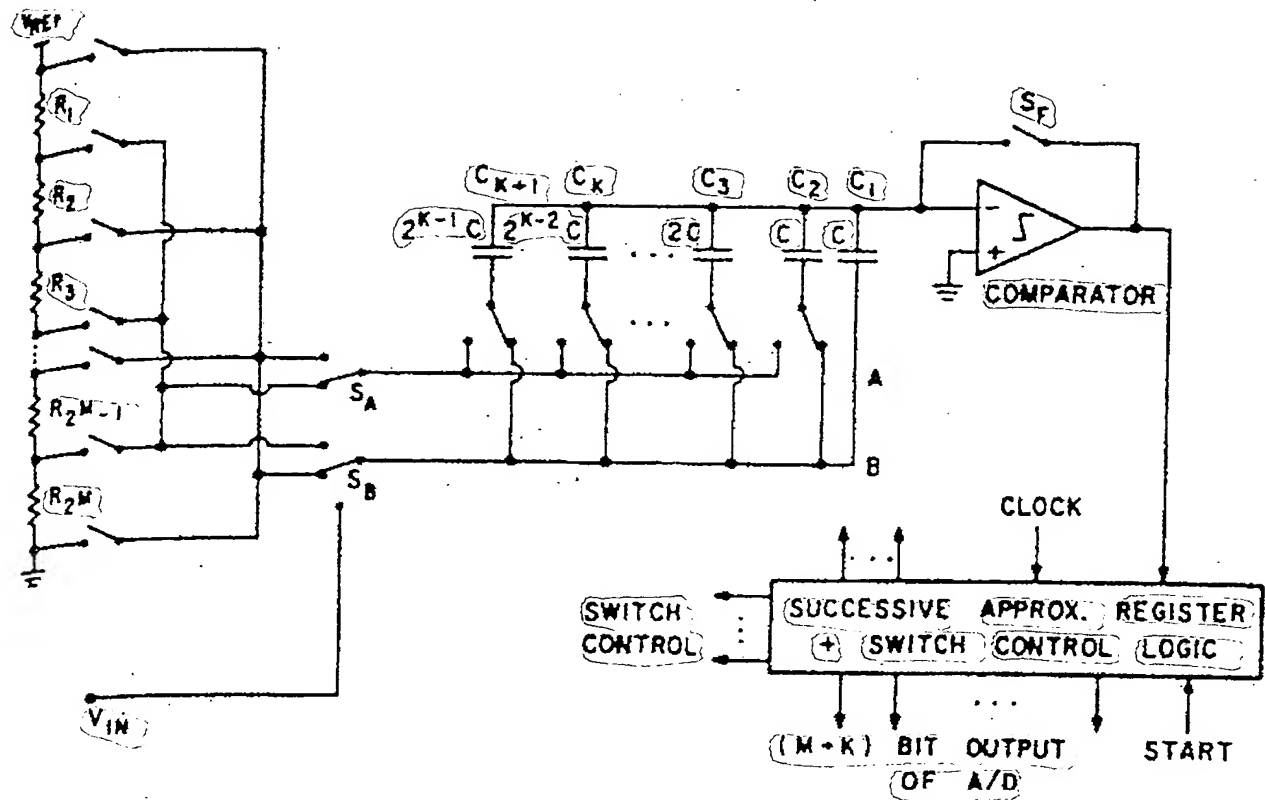
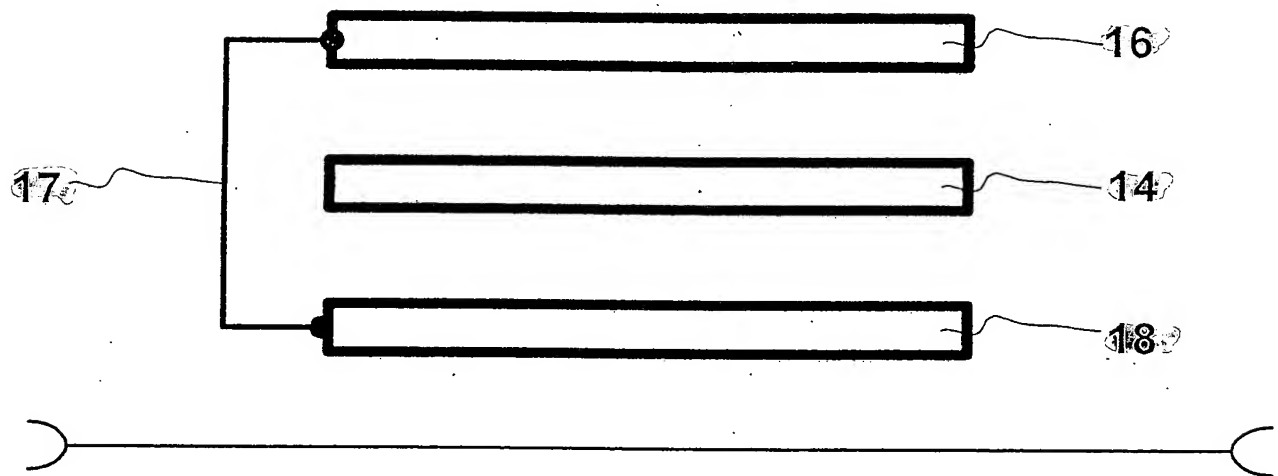


Figure 2

ANNOTATED SHEET



PRIOR ART

Figure 4

ANNOTATED SHEET

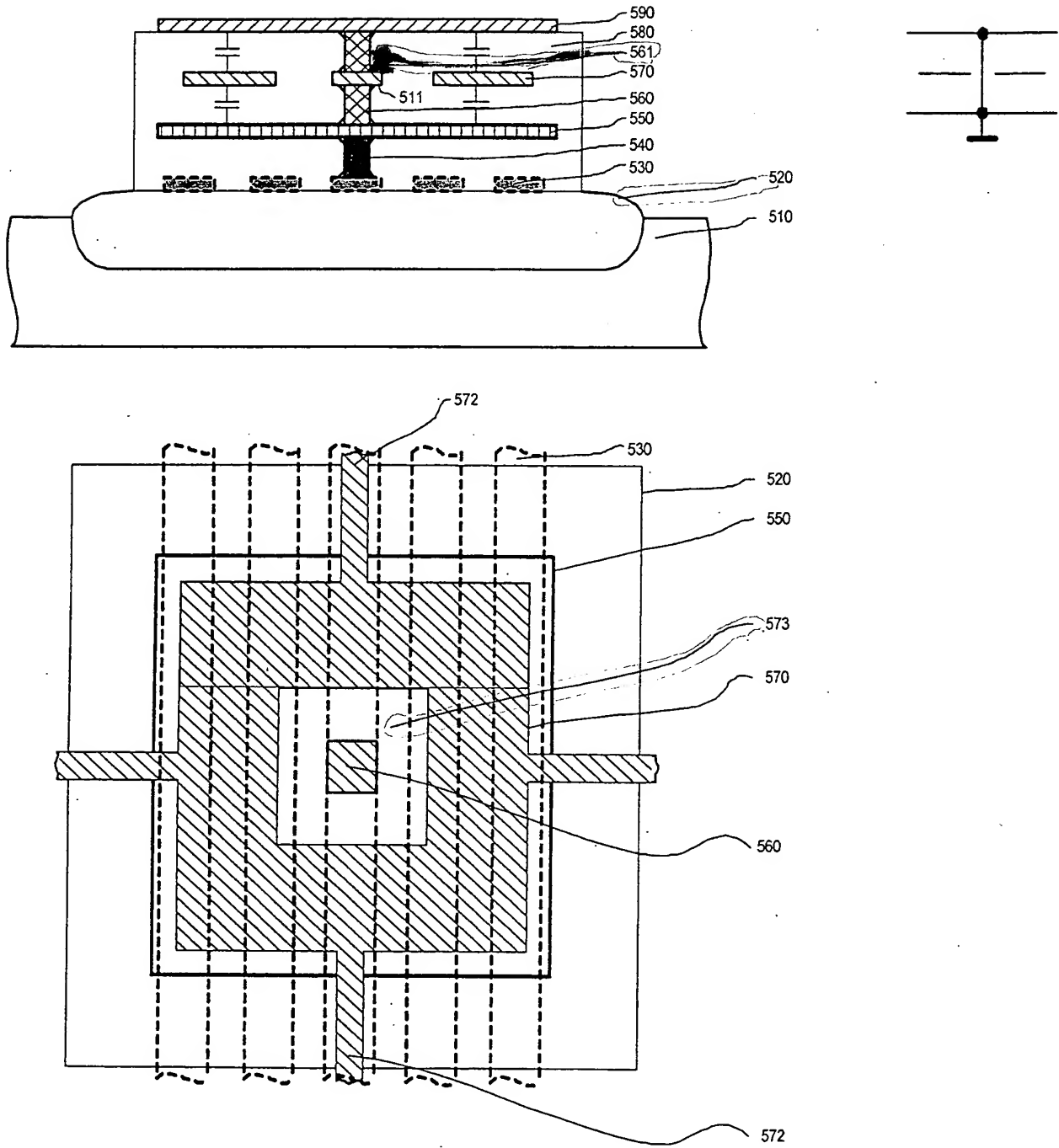


Figure 5

ANNOTATED SHEET

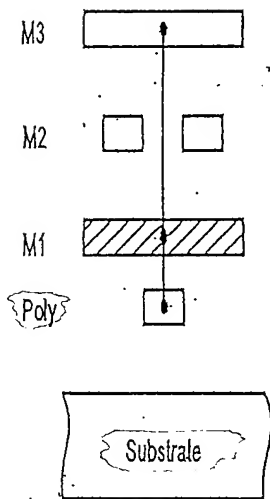


Figure 6a

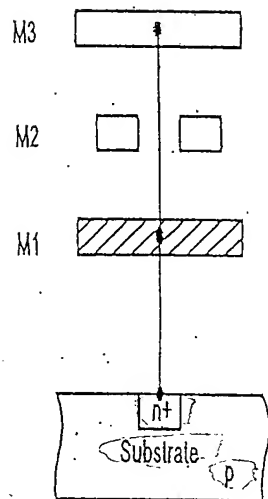


Figure 6b

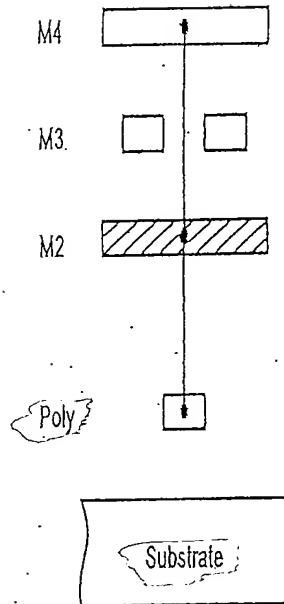


Figure 6c

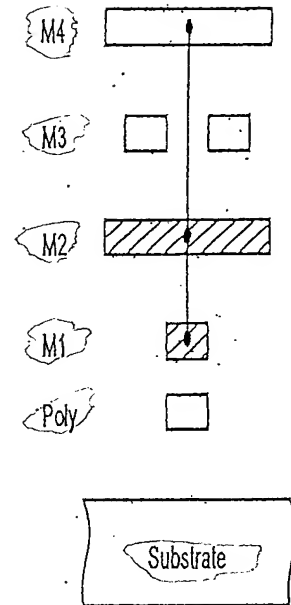


Figure 6d

Figure 7.

ANNOTATED SHEET

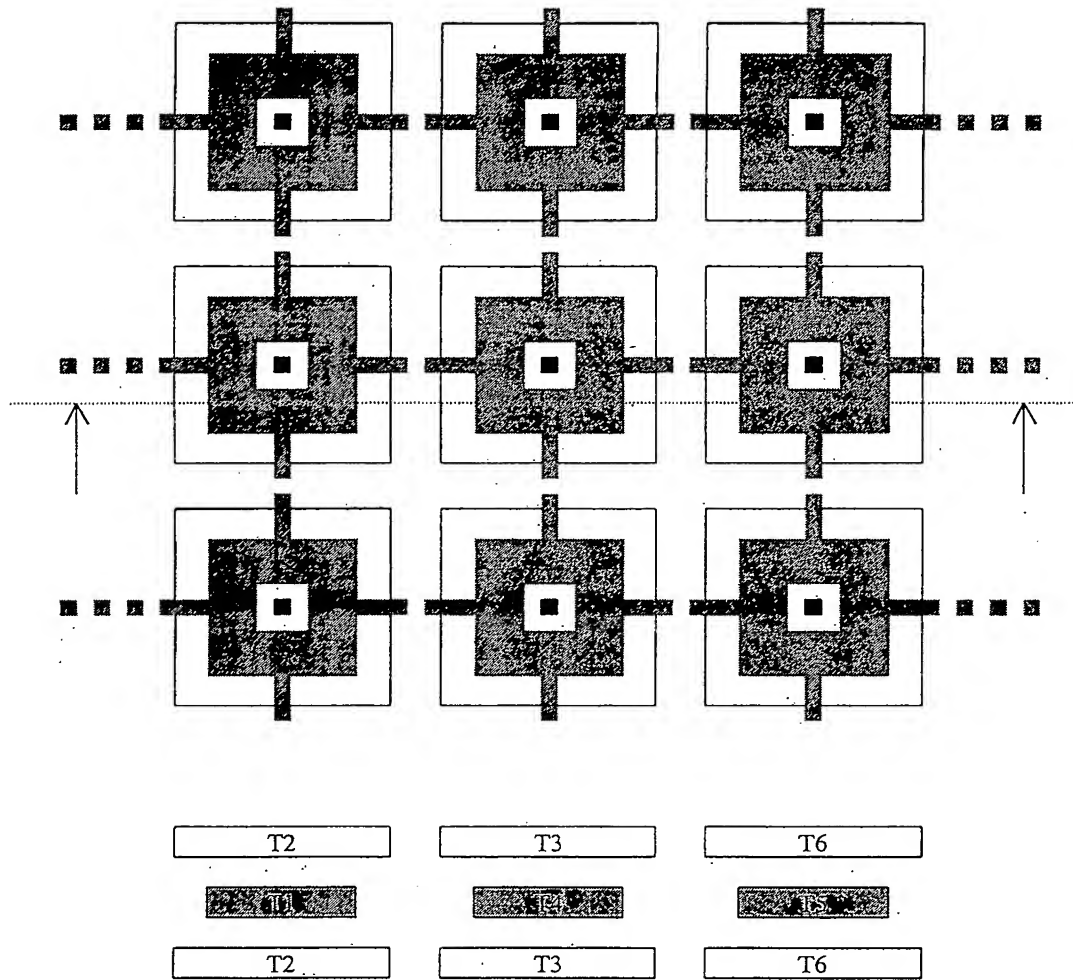


Figure 8

ANNOTATED SHEET

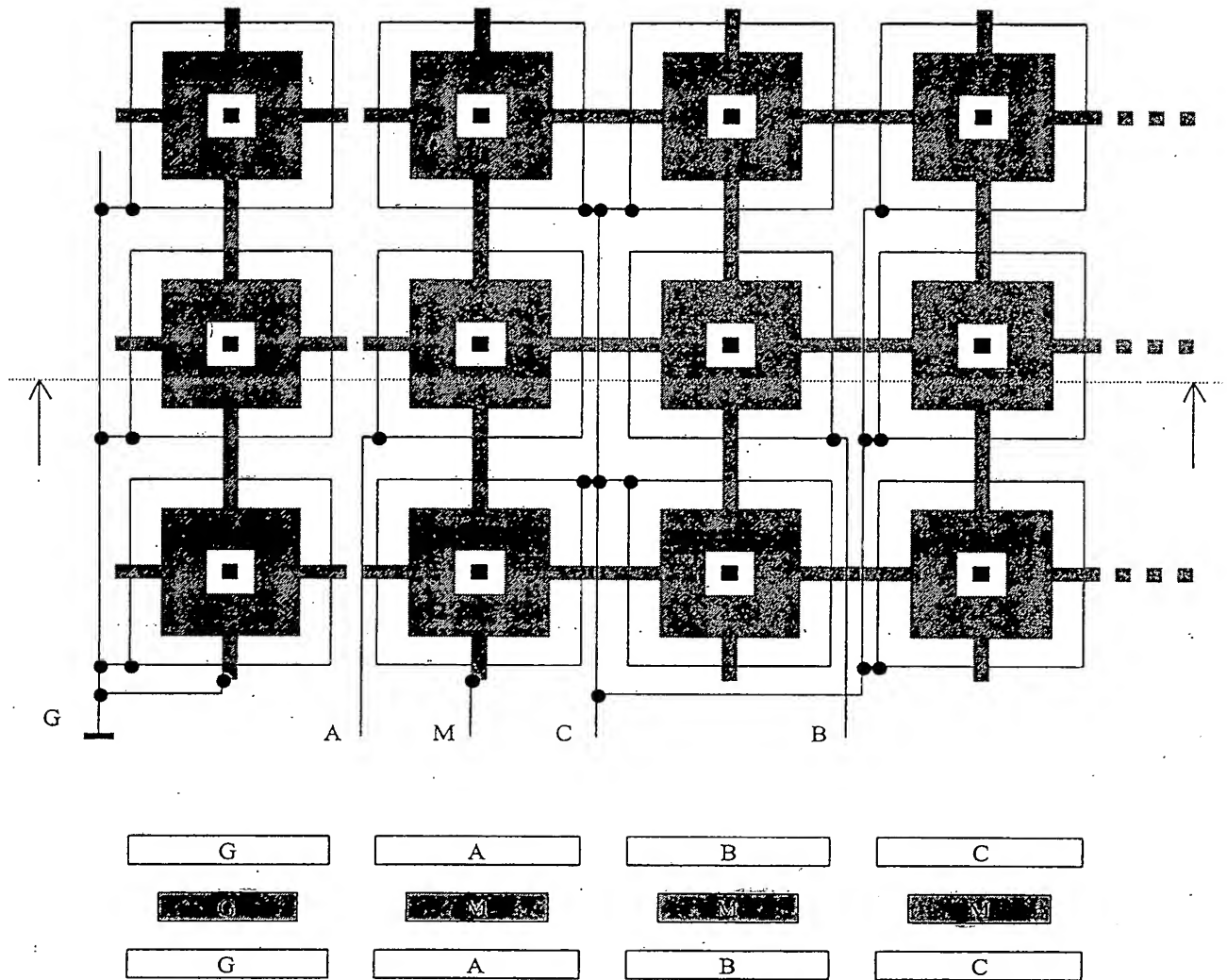


Figure 9

ANNOTATED SHEET

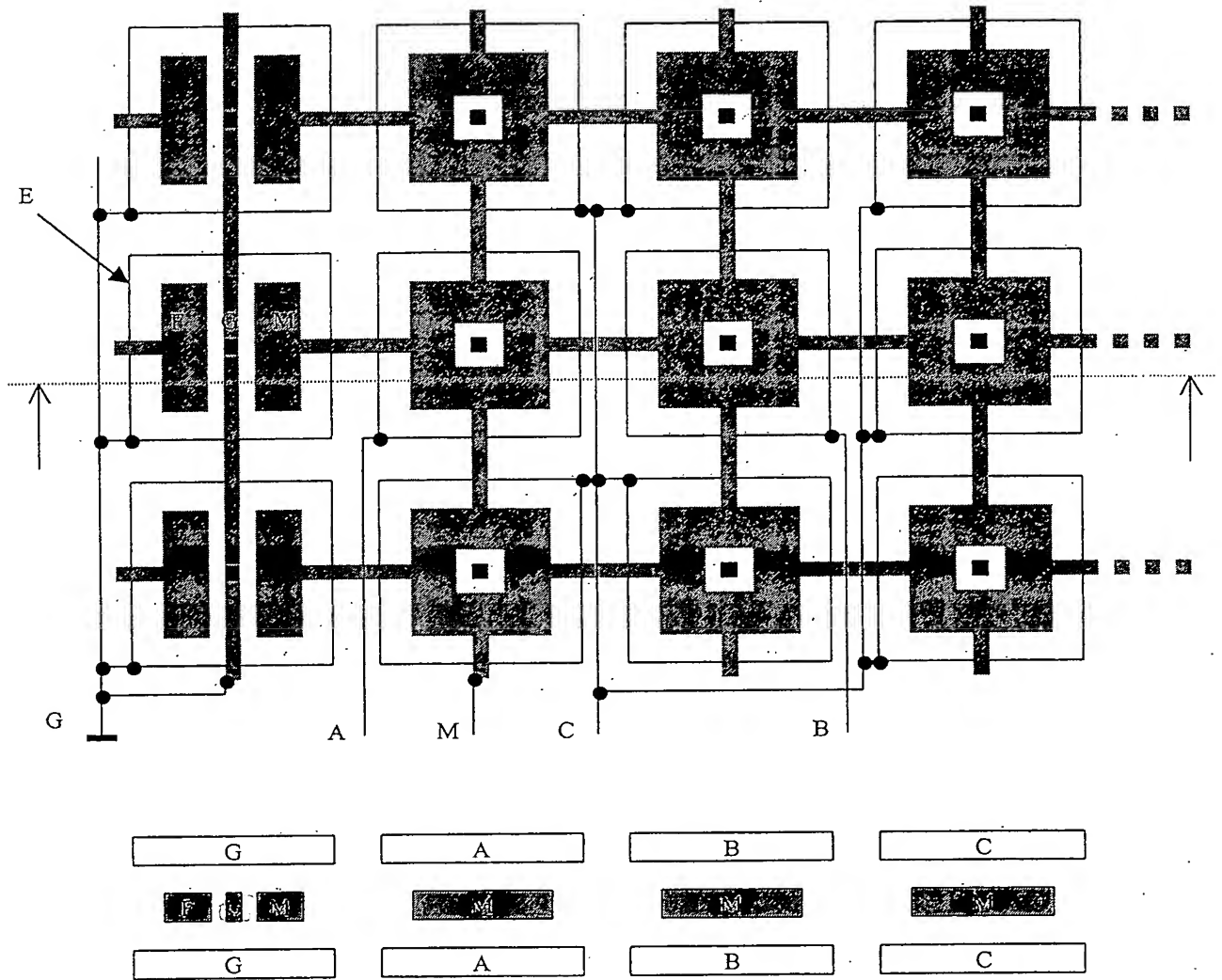


Figure 10